

### **REMARKS**

In view of the following remarks, Applicants respectfully request reconsideration and allowance of the subject application. This amendment is believed to be fully responsive to all issues raised in the Office Action

5 mailed May 3, 2005.

### **Claim Rejections**

#### **Rejections Under 35 U.S.C. §112**

Claim 18 was rejected under 35 U.S.C. §112 based on the use of the  
10 language "may be" in the claim. Applicant traverses the rejection. Initially, Applicant traverses the assertion in the action that the phrase "may be" is a relative term. Relative terminology is discussed in MPEP 2173.05(b), and nothing in the MPEP supports the assertion that the phrase "may be" is a relative term.

15 Rather, the phrase "may be installed to our uninstalled from" is functional language, explicitly authorized by MPEP 2173.01.

Rejections Under 35 U.S.C. §103(a)

Claims 18-35 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,654,801 to Mann ("Mann"). Applicants traverse these rejections. To establish a *prima facie* case of obviousness

5 the Action must establish that all limitations recited in the claim are disclosed or suggested by the cited reference. See, MPEP 2143.03. Applicants assert that the Action has failed to establish a *prima facie* case of obviousness because Mann fails to disclose (or even to suggest) numerous features recited in claim 18.

10 Claim 18 recites the limitation of "an integrated management agent capable of managing components of a storage area network (SAN), the integrated management agent comprising a device agent." The Action asserts that Mann teaches this limitation, appears to equate the Network Control Console described in Mann at column 4, lines 40-53 to the integrated

15 management agent recited in claim 18.

Claim 18 further recites the limitation that "the device agent comprising an object-based device handler sublayer and a protocol-dependent device handler sublayer, the protocol-dependent device handler sublayer comprising multiple modules, each respective module of the

20 multiple modules adapted to support a respective device-type-specific protocol." The Action asserts that Mann teaches this limitation, and cites column 6, lines 13-41 and Fig. 1 to support the rejection. Applicant disagrees. The cited text reads as follows:

25 Referring back to FIG. 1 information bus 22 serves to handle communication requests and responses originating from Point of Presence (POP) 26, NOC 16 or other PoPs and/or NOCs within the data communications network 10. The PoP 26

is one of many PoPs with which the information bus 22 is in communication. Located within PoP 26 is a host or node 28. The node 28 is in communication with the information bus 22 through control adapter 30 and one or more service adapters 32 that are connected with the various services that are used on the node 28. PoPs, such as the simplified example shown in FIG. 1, are located throughout the distributed data communications network. PoPs will generally comprise more services than are shown in FIG. 1 and may include more than one node handling network management interface capabilities. It is the task of the network management system of this invention to manage all the services and interfaces housed at the numerous PoPs comprising the comprehensive network.

By way of example, node 28 of FIG. 1 is configured with protocol gateway service 34, Authentication, Authorization and Accounting (AAA) service 36, Domain Name System (DNS) service 38, Dynamic Host Configuration Protocol (DHCP) service 40 and cache service 42. Node 28 may have single instances of each service running or may have multiple instances of a service running. Additionally, node 28 is not confined to having only one service component of a specific type associated with it, i.e., node 28 can be configured to have two or more AAA services, DNS services, DHCP services . . . etc. in communication with node 28. Those of ordinary skill in the art will appreciate that the services shown are not intended to be limiting and that other services and other service configurations can be used without departing from the inventive concepts herein disclosed. Not all services need to be running at each PoP and a PoP may comprise one or more host computers on which one or more of the services may be running.

Nothing in the cited text discloses or suggests *the device agent comprising an object-based device handler sublayer and a protocol-dependent device handler sublayer, the protocol-dependent device handler sublayer comprising multiple modules, each respective module of the multiple modules adapted to support a respective device-type-specific protocol, as recited in claim 18.*

Claim 18 further recites the limitation "wherein a particular module of the multiple modules that is adapted to support a particular device-type-specific protocol may be installed to or uninstalled from the protocol-dependent device handler sublayer independently of other modules of the multiple modules while the integrated management agent is running." The Action asserts that Mann teaches this limitation, and cites column 12, lines 13-47 to support the rejection. Applicant disagrees. The cited text reads as follows:

10 FIG. 6 is a flow chart illustrating a method for seamless integration of a new service or node within a data communications network management system, in accordance with a presently preferred embodiment of the present invention. At 300, a node or service is started manually at a Point of Presence within a data communications network. Manually, in 15 this sense, refers to a service or node that is started or added at one of the numerous PoPs in the distributed data communications network without a command to do so being issued from the network management operation center. The service or node being started has an associated service or control adapter running and is in communication with an information bus. At 310, the newly started node or service 20 begins sending out operational status signals over the information bus. These signals are published as heartbeat events on to an information bus. Heartbeat events are published at a prescribed interval to alert subscribing entities that a 25 specific node or service is still functional.

At 320, these signals are received by an unknowing network management control host. The host has no identity information in its database for this new service or node, 30 therefore, at 330, the network management control host sends out signals requesting identification information. These signals are published as discover events by the database adapter. At 340, these identification request signals are received by the new service or node and the associated control adapter or service 35 adapter sends signals with the requested identification information supplied therein. These events are published as identity events in response to received discover events. At 350, the subscribing network management control host receives the identity information and stores such in its database. The new 40 service or node has now been integrated into the data

communications network management system and the identifying information is kept on file for future reference.

Nothing in the cited text discloses or suggests *installing or uninstalling protocol specific modules from a protocol-dependent device handler*

5 *sublayer*, as recited in claim 18.

In sum, Mann fails to disclose or suggest limitations recited in claim 18. It is therefore respectfully submitted that the Action fails to establish a prima facie case of obviousness, and that claim 18 is allowable and in condition for allowance.

10 Although each pending dependent claim 19-35 includes additional element(s) militating toward allowability, it is respectfully submitted that dependent claims 19-35 are allowable at least for the reasons given above in connection with independent claim 18.

**CONCLUSION**

Claims 18-40 are believed to be in condition for allowance.

Applicants respectfully request reconsideration and prompt allowance and issuance of the present application. Should any issue remain that prevents

5 immediate allowance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,  
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